



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

ALK
F. #2020R00275

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 4, 2023

By ECF

The Honorable Ann M. Donnelly
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Donnell Russell
Criminal Docket No. 20-427 (AMD)

Dear Judge Donnelly:

The government respectfully submits this letter, pursuant to the Court's May 3, 2023 Order, to respond to the defendant's request to delay his surrender date to September 15, 2023. As set forth below, the government objects to another adjournment of the surrender date.¹

By way of brief background, the defendant pleaded guilty on July 26, 2022, to the sole count of the Indictment, which charged him with interstate stalking in violation of 18 U.S.C. § 2261(A)(2)(B). On November 17, 2022, the Court sentenced the defendant to 20 months of imprisonment, and ordered the defendant to surrender to the Bureau of Prisons on February 21, 2023. On January 30, 2023, the defendant moved to delay his surrender for approximately two and a half months, from February 21, 2023 to May 10, 2023. See ECF No. 36. At that time, the defendant stated that he required additional time to secure a grant for his nonprofit organization and that his son's birthday was on May 1, 2023. See id. at 1. The government did not object to the defendant's request, and the Court set a new surrender date of May 10, 2023.

The defendant now asks to adjourn his surrender date again, this time for approximately four months from May 10, 2023 to September 15, 2023. The defendant asserts that he requires the extension because he is being treated for various health issues and that treatment

¹ The Assistant United States Attorneys assigned to the defendant's criminal case in the Southern District of New York also object to the defendant's adjournment request. The court in that case has ordered a response from the government by May 5, 2023.

“is scheduled to last through mid-September,” see ECF No. 37 at 1, and attaches records relating to an April 5, 2023 medical appointment (“Def. Att.”).

While the government is sympathetic to the defendant’s medical issues, the government respectfully submits that those issues do not warrant a four-month adjournment of the defendant’s surrender date. [REDACTED]

[REDACTED] See Def. Att. 1, 3-4. There is nothing in the medical records to indicate that treatment will be ongoing until September or, more importantly, that the defendant’s medical issues cannot be adequately addressed by the Bureau of Prisons.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
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cc: Clerk of the Court (AMD) (by ECF)
Michael G. Freedman, Esq. (by ECF)